



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/073,131	02/13/2002	Germano Caronni	06502.0356

RECEIVED

MAR 14 2002

CONFIRMATION NO. 5459

FORMALITIES LETTER



\*OC000000007612682\*

Finnegan, Henderson, Farabow,  
Garrett & Dunner, L.L.P.  
1300 I Street, N.W.  
Washington, DC 20005-3315

FINNEGAN, HENDERSON,  
FARABOW, GARRETT & DUNNER, LLP.

Date Mailed: 03/11/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The signature of the following inventor(s) is missing from the oath or declaration:  
*Sandeep Kumar*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

10/17/2002 SDIRETA1 00000059 10073131

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130.00 OP

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OCT 23 2002

OFFICE OF PETITIONS

3/14/02  
06502-6356-00  
3/11/02 WLF X  
DECLARATION + SIGNATURE  
By *[Signature]*  
JAB/WDD  
3-14-02



4700 #7

\$1.47  
DAC

PATENT  
Customer No. 22,852  
Attorney Docket No. 06502.0356

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
Germano CARONNI et al. ) Group Art Unit: 2171  
)  
Application No.: 10/073,131 ) Examiner: not yet assigned  
)  
Filed: February 13, 2002 )  
)  
For: SYSTEM AND METHOD FOR )  
ACCESSING FILE SYSTEM )  
ENTITIES )

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OCT 23 2002

OFFICE OF PETITIONS

Commissioner for Patents and Trademarks  
Washington, DC 20231

Attention: **OFFICE OF PETITIONS**

Sir:

**RESPONSE TO DECISION ON PETITION UNDER 37 C.F.R. §1.47(a) AND**  
**SUPPLEMENTAL RESPONSE TO NOTICE TO FILE**  
**MISSING PARTS OF APPLICATION**

In response to the communication of August 12, 2002, Applicants submit an executed Declaration/Power of Attorney for the inventor who previously failed to respond to attempts to obtain an executed Declaration/Power of Attorney (Sandeep Kumar), an executed Declaration/Power of Attorney for the inventor who executed a non-complying Declaration/Power of Attorney (Germano Caronni), a fee of \$130.00 for a late filing of oath or declaration, and a copy of the Notice of Missing Parts.

On February 13, 2002, Applicants filed the above-identified application naming Germano Caronni and Sandeep Kumar as joint inventors. Because the undersigned could not obtain an executed declaration from Sandeep Kumar, the application was filed

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without a declaration as required by 37 C.F.R. §1.53. Accordingly, the Office of Initial Patent Examiner (OIPE) issued a Notice to File Missing Parts on March 11, 2002.

In response to the Notice to File Missing Parts, the undersigned performed a diligent effort to obtain an executed declaration from Sandeep Kumar but was unsuccessful due to the non-responsiveness and uncertain whereabouts of this inventor. Accordingly, Applicants filed a petition under 37 C.F.R. 1.47(a) for inventor Germano Caronni to make the above-identified application on behalf of Sandeep Kumar. The Office of Petitions dismissed the petition because there was insufficient evidence that the inventor could be reached or located or the inventor refuses to sign an oath or declaration after having been presented with the application papers. The Office of Petitions also indicated that the declaration of Germano Caronni was non-complying because the declaration included alterations that were not initialed as required by 37 C.F.R. 1.52(c).

In response to the dismissal, the undersigned again attempted to contact Sandeep Kumar using various methods including calling phone listings for people named Sandeep Kumar near the last known address of the inventor, Sandeep Kumar. These attempts were unsuccessful.

Following a series of electronic communications between the undersigned and Germano Caronni (the co-inventor of the present application), Germano Caronni also attempted to locate Sandeep Kumar. Germano Caronni successfully located Sandeep Kumar in Singapore and provided him with a declaration, which was subsequently executed by Sandeep Kumar and provided to the undersigned. Furthermore, Germano Caronni also executed a new declaration that does not include alterations. Accordingly, the undersigned has now obtained executed declarations from both Germano Caronni and Sandeep Kumar.

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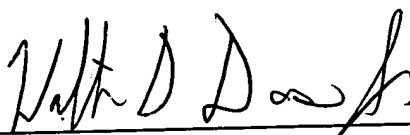
Applicants submit that the submitted Declaration/Power of Attorney documents for the above listed inventors each meet the requirements of 37 C.F.R. § 1.63.

Please associate the enclosed declarations with the application, grant any additional extensions of time required to enter this response, and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: October 15, 2002

By:   
Walter D. Davis, Jr.  
Reg. No. 45,137

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